

## REMARKS

Reconsideration of the present application is respectfully requested.

## **I. Status of the Claims**

The claims have not been amended, but are presented as a courtesy to the Examiner.

Claims 1-8, 10-17, 19 and 20 have been rejected.

Claims 9 and 18 have been objected.

Claims 1-20 are pending.

## II. Allowable Subject Matter

Applicants thank the Examiner for the acknowledgment of allowable subject matter in claims 9 and 18, if the claims are amended in independent form.

### III. Rejections under 35 U.S.C §102(b)

Claims 1-4, 10-13 and 19-20 are rejected under 35 U.S.C. § 102(b) as anticipated by Eremin et al. (US Patent No. 5,689,295). Applicants respectfully traverse the rejection made by the Examiner for the reasons discussed below.

Claims 1 and 10 recite an inkjet cartridge for dispensing a predetermined amount of fluids (reagents) comprising “a plurality of capillary tubes ... communicat[ing] with the fluid channels respectively and ...the capillary tubes do not communicate with each other.”

In contrast, Eremin discloses a print head comprising capillary tubes in communication with each other through a vertical tube. Eremin, Figures 7-10 illustrate multiple capillary tubes 11 (12, 13, 14) communicating with each other by a vertical tube connected to channel 27 (28, 29, 30). *See, also*, column 5, lines 36-45 and column 6, lines 27-30. Thus, Eremin fails to disclose “capillary tubes [that] do not communicate with each other.”

The Examiner cites to Figures 3 and 4 for support that Eremin discloses that the capillary tubes do not communicate with each other. However, Applicants note that Figures 7-10 are cross

sections of Figures 3 and 4 and all of Figures 2-10 illustrate the same embodiment. *See*, Eremin, column 4, lines 1-14.

Further, claims 2-4, 11-13 and 19-20, depend directly or indirectly from claim 1 or 10, and thus are allowable based on the argument above. Applicants respectfully request that the rejection be withdrawn.

#### IV. Rejections under 35 U.S.C. §103(a)

Claims 5-8 and 14-17 are rejected under 35 U.S.C. 103(a) as unpatentable over Eremin in view of Cowger et al. (US Patent No. 5,047,90). Applicants respectfully traverse the rejection.

Applicants submit that claims 5-8 and 14-17 depend from claims 1 or 10 are allowable based on the arguments to Eremin and Cowger presented above. Further, Cowger does not disclose capillary tubes and the combination of Eremin, either alone or in combination, does not teach or suggest all the elements of the claims. Applicants respectfully request the rejection be withdrawn.

## CONCLUSION

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

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Respectfully submitted,

By

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